

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

RCE/3728+

# REQUEST FOR CONTINUED EXAMINATION (RCE)

## TRANSMITTAL FORM (37 C.F.R. § 1.114)

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by.  
for  
RCE  
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P.M.  
Pay  
1/23/04

DOCKET NO. 12443/1	APPLICATION SERIAL NO. 09/890,706	EXAMINER STASHICK, Anthony D.	ART UNIT 3728
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**INVENTORS:** Peter LAUER, Hubert AUGUSTIN, Ernst KLEIN and Josef SCHRÖDER

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: January 13, 2004

Signature:

Abraham P. Ronai (Reg. No. 41,275)

This is a **request for continued examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. 09/890,706, filed on **October 25, 2001**, entitled **A SHOE, IN PARTICULAR A SHOE FOR SMALL CHILDREN**.

The following constitute the submission **required** by 37 C.F.R. § 1.114(a) and is attached:

- Submission Pursuant to 37 C.F.R. § 1.114 of Amendment in Connection with Request for Continued Examination  
 Information Disclosure Statement and Form PTO-1449  
 Drawing Changes  
 Other Submission:

1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA*	RATE (\$) PER CLAIM	FEE (\$)
BASIC FEE						770.00
TOTAL CLAIMS	13		20	0		0.00
INDEPENDENT CLAIMS	1		3	0		0.00
MULTIPLE DEPENDENT CLAIM						
				Number extra must be zero or larger	TOTAL	770.00
	If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.			SMALL ENTITY		
					TOTAL	

TECHNOLOGY CENTER 3700  
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- . 2. Please charge the required RCE and submission filing fee of **\$770.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
3. Applicants respectfully request a **three -month extension of time** for responding to the Final Office Action mailed July 15, 2003, for which a three month response period expiring on October 15, 2003 was set. The three-month extended period for response expires on January 15, 2004. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) three-month extension fee of **\$950.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
4. The Commissioner is hereby authorized to charge payment of the fees, including any additional fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
5. A duplicate copy of this transmittal form is enclosed.

Respectfully submitted,

Dated: 1/13/04

By:   
Abraham P. Ronai (Reg. No. 41,275)

KENYON & KENYON  
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New York, New York 10004  
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